

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KAREEM ARMSTRONG, )  
v. ) Civil Action No. 06 - 164  
Plaintiff, )  
 ) Judge Gary L. Lancaster /  
 ) Magistrate Judge Lisa Pupo Lenihan  
 )  
LOUIS S. FOLINO, *Superintendent*; CRAIG )  
HAYWOOD, *Security Lieutenant*, ODDO, )  
MAHLMEISTER, CAPPZO, JOHN DOE 1, )  
JOHN DOE 2, JOHN DOE 3, and RANIERI )  
Defendants. )  
)

**ORDER**

The above captioned case was initiated on February 6, 2006 by the filing of a Motion to Proceed In Forma Pauperis (doc. no. 1) accompanied by a Complaint. It was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (doc. no. 27), filed on February 7, 2007, respectfully recommended that Defendants' Motion to Dismiss or in the Alternative Motion for Summary Judgment (doc. no. 20) be granted. Plaintiff was served at SCI Forest and was advised they he was allowed ten (10) days from the date of service to file written objections. No objections have been filed. After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

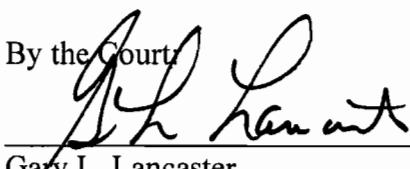
AND NOW, this 6<sup>th</sup> day of March, 2007;

**IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss or in the Alternative Motion for Summary Judgment (doc. no. 20) is **GRANTED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (doc. no. 27) of Magistrate Judge Lenihan, dated February 7, 2007, is adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this Case as **CLOSED**.

By the Court

  
\_\_\_\_\_  
Gary L. Lancaster

United States District Judge

cc: Lisa Pupo Lenihan  
United States Magistrate Judge

Kareem Armstrong  
FC-1347  
P.O. Box 945  
S.C.I. Forest  
Marienville, PA 16239

Counsel of Record